

ORDINANCE NO. _____

AN EMERGENCY ORDINANCE TO AMEND CHAPTER 2 OF THE CITY CODE ENTITLED "ADMINISTRATION," ARTICLE II ENTITLED "MUNICIPAL-COUNTY RELATIONS," SECTION 2-6 ENTITLED "EXEMPTION FROM MONTGOMERY COUNTY LEGISLATION AND REGULATIONS WITHIN THE CITY" SO AS TO DELETE THE PROVISIONS OF CHAPTERS 16 AND 19 OF THE MONTGOMERY COUNTY CODE ENTITLED "ELECTIONS" AND "EROSION, SEDIMENT CONTROL AND STORM WATER MANAGEMENT", RESPECTIVELY, AS BEING APPLICABLE AND ENFORCEABLE WITHIN THE CITY

The Mayor and City Council hereby declares an emergency to exist with respect to the conduct of elections and regulation, operation, management and financing of storm water management in the City; THEREFORE,

BE IT ORDAINED, by the Mayor and City Council of the City of Gaithersburg, in public meeting assembled, that Chapter 2 of the City Code entitled "Administration," Article II entitled "Municipal-County Relations" Section 2-6, entitled "Exemption from Montgomery County legislation and regulations within the city," are hereby amended to read as follows:

* * * * *

Sec. 2-6. - Exemption from Montgomery County legislation and regulations within the city.

It is hereby ordained by the mayor and city council of the City of Gaithersburg, Maryland, that pursuant to the authority granted by Article 23A, Section 2B(a), of the Annotated Code of Maryland, as enacted by Chapter 398 of the Laws of Maryland, 1983, and further pursuant to Chapter 33 of the Laws of Montgomery County, 1984, as codified in Chapter 2, Section 2-96 of the Montgomery County Code (1972 edition, as amended), as may hereafter from time to time be amended, the City of Gaithersburg, Maryland, is hereby declared exempt from any and all legislation and regulations pertaining hereto, heretofore or hereafter enacted by Montgomery County, Maryland, relating to any subject or matter upon which the mayor and city council of the city, or the City of Gaithersburg, as a municipal corporation, has been heretofore or is hereafter granted legislative authority, with the following exceptions which shall hereafter be applicable to and within the City of Gaithersburg, Maryland:

Chapter Title, Montgomery County Code 1984, as Amended

Chapter 1	—General Provisions
Chapter 2	—Administration
Chapter 3	—Air Quality Control
Chapter 3	—Alarms
Chapter 6	—Auction Sales
Chapter 7	—Bicycles
Chapter 9	—Cemeteries & Burials
Chapter 10	—Child Care
Chapter 11	—Consumer Protection
Chapter 11	—Condominiums
Chapter 12	—Courts
Chapter 13	—Detention Centers & Rehabilitation Facilities
Chapter 15	—Eating & Drinking Establishments
Chapter 16	—Elections
Chapter 18A—	Environmental Sustainability, Article 4 of said chapter
Chapter 19	—Erosion, Sediment Control and Storm Water Management, section 19-35
Chapter 21	—Fire & Rescue Services
Chapter 23	—Financial Assistance to Service Organizations
Chapter 24	—Health and Sanitation, § 24-11A of said chapter
Chapter 27	—Human Relations and Civil Liberties
Chapter 30A	—Montgomery County Municipal Revenue Program
Chapter 30B	—Massage Establishments & Massage Technicians
Chapter 30C	—Motor Vehicle Towing from Private Property
Chapter 31	—Motor Vehicles & Traffic
Chapter 31A	—Motor Vehicle Repair and Towing Registration
Chapter 31B	—Noise Control
Chapter 31C	—New Home Warranty and Builder Licensing
Chapter 35	—Police
Chapter 38A	—Radio, Television and Electrical Appliance Installation and Repairs
Chapter 40	—Real Property
Chapter 41A	—Rent Supplement & Assistance Program
Chapter 42	—Revenue Authority
Chapter 44	—Schools & Camps
Chapter 44A	—Secondhand Personal Property

Chapter 46	—Slaughterhouse
Chapter 52	—Taxation
Chapter 53	—Taxicabs & Limousines
Chapter 53	—Tenant Displacement
Chapter 54	—Transit Facilities

ADOPTED this ____ day of _____, 2013 by the City Council of Gaithersburg, Maryland.

SIDNEY A. KATZ, MAYOR and
President of the Council

DELIVERED to the Mayor of the City of Gaithersburg, Maryland, this ____ day of _____, 2013. APPROVED by the Mayor of the City of Gaithersburg, this ____ day of _____, 2013.

SIDNEY A. KATZ, MAYOR

THIS IS TO CERTIFY that the foregoing emergency Ordinance was adopted by the City Council of Gaithersburg, in public meeting assembled, on the ____ day of _____, 2013 and that the same was approved by the Mayor of the city of Gaithersburg on the ____ day of _____, 2013. This Ordinance will become effective on the 1st day of July, 2013.

Tony Tomasello, City Manager

Boldface	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
Single strikethrough	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by Amendment.</i>
Double boldface strikethrough	<i>Deleted from existing law or the bill by amendment.</i>